

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT
WESTERN DIVISION**

In Re:	*	Case No.1:18-bk-14408
	*	Judge Jeffrey P. Hopkins
Flipdaddy's, LLC	*	Chapter 11 Proceeding
	*	
	*	
Debtor	*	

**MOTION TO EXTEND TIME FOR THE ACCEPTANCE
AND/OR REJECTION OF EXECUTORY CONTRACTS
AND CERTAIN LEASES**

1. Now comes the Debtor, Flipdaddy's, LLC, ("Debtor") and requests that this Court enter an order pursuant to sections 105 and 365(d)(4)(a) of title 11 of the United States Code ("the Bankruptcy Code") and Rules 4001 and 6003 of the Federal Rules of Bankruptcy Procedure ("the Bankruptcy Rules") extending the time for the acceptance and/or time for the rejection of executory contracts and leases for the nonresidential real property to date of the entry of an order confirming the plan of the debtor. In support, the Debtor would state as follows:

2. This case was commenced on December 6, 2018 and pursuant to 11 USC 1107 and 1108, a Debtor remains a debtor-in-possession and authorized to file this Motion.

3. The Court has jurisdiction to consider this matter pursuant to 28 USC 157 and 1334 and 11 USC 105, 362(d)(3) and 1121(d)(1). This is a core proceeding pursuant to 28 USC 157(2)(A) & (L). Venue is proper before this Court pursuant to 28 USC 1408 and 1409.

4. By this Motion, the Debtor requests entry of an order extending the time to accept or reject the unexpired leases and or executory contracts for the nonresidential

real property to date of the entry of an order confirming the plan of the debtor.

4. The Debtor would state that as a basis for such request, the Debtor has simultaneously with this Motion requested the extension of time within which to file the Plan in this cause. The Debtor has throughout this process been in negotiation with the parties to executory contracts and leases that are crucial to the operations of the Debtor, establishing the necessary cure amounts and arranged the financing for not only such cure amounts, but also implementation of the plan. As set forth in the Motion to Extend Exclusivity and it is believed those negotiations can be completed within thirty (30) days and the disclosure statement and plan filed within that timeframe as well.

5. Pursuant to Bankruptcy Rules 6003, 4001 and 9014, notice of this Motion shall be given to all creditors, parties in interest or that have appeared in this cause, the Office of United States Trustee and other parties as the Court may direct.

WHEREFORE, the Debtor prays that after notice and opportunity for hearing that the time for the acceptance or rejection of leases be extended to the date of confirmation of the plan and other such relief as is just and equitable.

Respectfully submitted

DILLER & RICE, LLC

/s/Steven L. Diller

Steven L. Diller (0023320)

Attorney for Debtor

124 East Main Street

Van Wert, OH 45891

(419) 238-5025

**NOTICE OF FILING OF MOTION TO EXTEND TIME FOR
THE ACCEPTANCE AND/OR REJECTION OF**

EXECUTORY CONTRACTS AND CERTAIN LEASES

Flipdaddy's, LLC, Debtor in this case, has filed a Motion with the Court to Extend Time For the Acceptance and/or Rejection of Executory Contracts and Certain Leases in this case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have any attorney, you may wish to consult one. If you do not want the Court to enter an order establishing the Bar Date or if you want the Court to consider your views on the Motion, then on or before twenty-one (21) days from the date listed on the Certificate of Service below, you or your attorney must file with the Court a written response outlining your position and/or a written request for a hearing. If you mail your response/request to the Court, you must mail it early enough so the Court will receive it on or before the date stated above. You must also mail a copy to:

Flipdaddy's, LLC
7406 Jager Ct.
Cincinnati, OH 45230

Steven L. Diller
Diller & Rice, LLC
124 East Main Street
Van Wert, OH 45891

Office of the United States Trustee
36 East Seventh St.
Suite 2030
Cincinnati, OH 45202

If the court sets a hearing on your response/request, you must also attend the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

/s/Steven L. Diller

Steven L. Diller

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion to Extend Time For Acceptance and/or Rejection of Executory Contracts and Certain Leases filing of Plan and the Exclusivity Period combined with Notice and Opportunity to Object has been served on all creditors and other parties in interest in this case, the United States Trustee and all other parties having requested notice herein by ordinary U.S. Mail, postage prepaid as is set forth on the attached mailing matrix as of this date as well as electronic filing in compliance with the ECF rules in place in this District, on this 5th day of April, 2019.

/s/Steven L. Diller
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Notice was electronically served on the date of entry on the following recipients:

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